

PREPARED BY & RETURN TO:
BRIDGFORTH & BUNTIN, PLLC
P.O. BOX 241
SOUTHAVEN, MS 38671

642-393-4450

CORRECTED

**AMENDMENT TO RESTRICTIVE COVENANTS
OF LAUDERDALE ESTATES SUBDIVISION**

6/18/09 11:13:33
DK W BK 610 PG 328
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

6/25/09 8:51:35
DK W BK 610 PG 632
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

WHEREAS, by instrument entitled **Lauderdale Estates Subdivision Restrictive Covenants**, certain restrictive covenants were imposed upon all of the lots in Lauderdale Estates Subdivision, a subdivision which is situated in Section 18, Township 2 South, Range 7 West, City of Southaven, DeSoto County, Mississippi as shown by Plat appearing of record in Plat Book 99, Pages 46-48 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, subsequent thereto First Capital Investments, LLC filed a Declaration of Covenants, Conditions, and Restrictions for Lauderdale Estates Subdivision dated May 2, 2007 which Declaration is recorded in Deed Book 557 at Page 652 in said Chancery Clerk's Office; and

WHEREAS, by instrument dated May 2, 2007, First Capital Investments, LLC filed an Amendment to the Lauderdale Estates Subdivision Restrictive Covenants which instrument was recorded in Deed Book 557 at Page 650 in said Chancery Clerk's Office; and

WHEREAS, First Capital Investments, LLC, pursuant to the authority contained in the original restrictive covenants desires to further amend the restrictive covenants as they relate to the minimum square footage requirement for heated floor space in the original restrictive covenants and the amendment thereto, and such is the express intent and purpose of this instrument.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, First Capital Investments, LLC, an Arkansas Limited Liability Company, pursuant to the authority contained in restrictive covenants recorded at Book 534, Page 638 in said Chancery Clerk's Office do hereby amend the restrictive covenants to provide the following, to-wit:

Every dwelling erected on any lot shall have a minimum square footage requirement of 2,000 square feet of heated floor area. The first floor or main floor of any 1½ story dwelling shall contain a minimum of 1,200 square feet of heated floor area.

The express purpose of this Amendment is to reduce the overall minimum heated square footage area requirement from 2,500 square feet to 2,000 square feet. All other terms, conditions and covenants of the original Restrictive Covenants, the Declaration of Covenants, Conditions, and Restrictions remain in full force and effect except as expressly modified by this instrument. This amendment shall become effective upon the filing of this instrument for record in the Office of the Chancery Clerk of DeSoto County, Mississippi.

* AT THE
REQUEST
OF
LIBERTY
BANK OF
ARKANSAS

WITNESS the signature of the duly authorized sole member of the limited liability company this the 29 day of May, 2009.

First Capital Investments, LLC

BY: [Signature]
Kenneth Burden, Sole Member

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned Notary Public for the State and County aforesaid, Kenneth Burden, with whom I am personally acquainted and who acknowledged that he is the sole member of First Capital Investments, LLC, an Arkansas Limited Liability Company, and that he executed the within instrument for the purposes therein contained, and that who further acknowledged that in said capacity, he is authorized to execute the instrument on behalf of the limited liability company.

WITNESS my hand and Notarial Seal at office this the 29 day of May, 2009.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:

10/26/2010

